

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES BLAKES, <i>et al.</i>, for themselves)	
and on behalf of similarly situated)	No. 11 CV 336
others,)	
)	
Plaintiffs,)	
)	
v.)	Magistrate Judge Young B. Kim
)	
ILLINOIS BELL TELEPHONE)	
COMPANY, d/b/a AT&T Illinois,)	
)	February 17, 2016
Defendant.)	

ORDER

The parties' Joint Motion for Approval of Settlement and Dismissal is granted. The Court has reviewed the parties' confidential Omnibus Settlement Agreement (the "Agreement") and the exhibits thereto, including the various settlement agreements and/or releases binding the various groups of plaintiffs who are participating in this settlement. Based on the Joint Motion and other papers reviewed by the Court, it hereby finds and orders as follows:

1. The Court has jurisdiction over the parties and opt-in plaintiffs in this case, including those who have filed separate litigation against Illinois Bell after this Court's decertification decision (Dkt. 233).

2. The Court has determined that the Agreement was the result of arms'-length negotiation between the parties, represented by competent counsel who are highly experienced in complex wage and hour litigation.

3. The Agreement and all exhibits thereto and individual settlement agreements have been accepted for submission for in camera review, are to remain confidential, and will not be made part of the public docket in this case or otherwise available to any individual except insofar as any dissemination is allowed by the terms of these agreements.

4. The Agreement is approved in its entirety as a fair and reasonable resolution of a bona fide dispute between the parties under the Fair Labor Standards Act ("FLSA"). The Court expressly finds that the settlement satisfies the factors set forth in *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1354 (11th Cir. 1982), related to the fairness of settlements under the FLSA. *See also Butler v. American Cable & Telephone, LLC*, No. 09 CV 5336, 2011 WL 4729789, at *9 n.9 (N.D. Ill. Oct. 6, 2011) (court must determine whether a proposed FLSA settlement is a fair and reasonable resolution of a bona fide dispute over FLSA provisions).

5. This matter is hereby dismissed without prejudice. The Court will convert this dismissal to a dismissal with prejudice upon notification by the parties of the requisite payments being transferred by Illinois Bell to the settlement administrator, pursuant to the terms of the Agreement.


6. The individual agreements are approved in their entirety as a fair and reasonable resolution of a bona fide dispute between the parties signatory to those agreements under FLSA. The Court expressly finds that these settlements satisfy

the factors set forth in *Lynn's Food Stores* related to the fairness of settlements under the FLSA.

7. The Court approves all applicable releases of claims set forth in the Agreement and in the individual settlement agreements. All such claims are hereby released, including, without limitation, any right to appeal any order or judgement entered in this case.

8. The Court approves of the notice process set forth in the Agreement for those plaintiffs and opt-in plaintiffs who will receive formal notice of this settlement according to the terms of the Agreement.

ENTER:



Young B. Kim
United States Magistrate Judge